

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

12 Misc. 115 (JSR)

SIPA Liquidation

(Substantively Consolidated)

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

ABN AMRO BANK (IRELAND) LTD.
(F/N/A FORTIS PRIME FUND
SOLUTIONS BANK (IRELAND) LIMITED),
ABN AMRO CUSTODIAL SERVICES
(IRELAND) LTD. (F/K/A FORTIS PRIME
FUND SOLUTIONS CUSTODIAL SERVICES
(IRELAND) LTD.), RYE SELECT BROAD
MARKET XL FUND, LP and RYE SELECT
BROAD MARKET XL PORTFOLIO
LIMITED,

Defendants.

11 Civ. 6877 (JSR)

**DECLARATION OF CHRISTOPHER R. HARRIS IN SUPPORT OF DEFENDANTS’
MOTION TO DISMISS THE COMPLAINT ON WITHDRAWN ISSUES**

I, Christopher R. Harris, do hereby declare under the penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner with Latham & Watkins LLP, 885 Third Avenue, New York, New York 10022, (212) 906-1200, counsel to ABN AMRO Bank (Ireland) Ltd. (f/k/a Fortis Prime Fund Solutions Bank (Ireland) Ltd.) (“AA Irish Bank”) and ABN AMRO Custodial Services (Ireland) Ltd. (f/k/a Fortis Prime Fund Solutions Custodial Services (Ireland) Ltd.) (“AA Custodial”) (collectively, “Defendants”).

2. As a member in good standing in this Court and in the Bar of the State of New York, I respectfully submit this Declaration in support of Defendants’ Motion to Withdraw the Reference to the Bankruptcy Court.

3. Attached hereto as Exhibit A is a true and correct copy of a chart showing subscriptions in and redemptions from Rye Select Broad Market Fund, LP (the “Onshore Reference Fund”) and Rye Select Broad Market Portfolio Limited (the “Offshore Reference Fund”) (together, the “Reference Funds”).

4. Attached hereto as Exhibit B are true and correct copies of documents from Rye Investment Management stating its calculations of Defendants’ investments in the Reference Funds for the period ending November 30, 2008.

5. Attached hereto as Exhibit C is a true and correct copy of *Plaintiff Lakeview Investments, LP’s Notice of Intention to Appear at the Fairness Hearing and Objections to Plaintiffs’ Motion for Final Approval of Proposed Partial Settlement, Plans of Allocation, and Requested Attorneys’ Fees; Joinder in Spectrum Objections*, filed on May 11, 2011 as ECF No.

489 in *In re Tremont Securities Law, State Law and Insurance Litigation*, 08-civ-11117 (TPG) in the District Court for the Southern District of New York.

6. I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 13, 2012
New York, New York

LATHAM & WATKINS LLP

By: /s/ Christopher R. Harris
Christopher R. Harris
885 Third Avenue, Suite 1000
New York, NY 10022
Telephone: (212) 906-1628
Email: christopher.harris@lw.com

*Attorneys for ABN AMRO Bank (Ireland) Ltd.
(f/k/a Fortis Prime Fund Solutions Bank
(Ireland) and ABN AMRO Custodial Services
(Ireland) Ltd. (f/k/a Fortis Prime Fund
Solutions Custodial Services (Ireland) Ltd.)*